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of Transportation  
**National Highway  
Traffic Safety  
Administration**

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SVK 123

400 Seventh Street, S.W.  
Washington, D.C. 20590

Mr. Derek Yuen  
Xtest Inc.  
16035 Caputo Drive, Suite A  
Morgan Hill, CA 95037

NHTSA-2006-25217-1

Dear Mr. Yuen:

This responds to your request for an interpretation of Federal Motor Vehicle Safety Standard (FMVSS) No. 123, Motorcycle controls and displays. That standard specifies, among other things, that the operation of the ignition must be such that the "Off" position is "counterclockwise from other positions." You wish to know whether on a motorcycle with the following: accessory; lock; and park, any of these "positions" are allowed to be counterclockwise of the "Off position." Our answer is provided below.

The National Highway Traffic Safety Administration (NHTSA) is authorized to issue FMVSSs for new motor vehicles and new items of motor vehicle equipment. NHTSA does not provide approvals of motor vehicles or motor vehicle equipment. Instead, manufacturers are required to certify that their vehicles and equipment meet applicable standards.

At Table 1, "Motorcycle Control Location and Operation Requirements," Item 6 is the ignition. The operational requirement (in Column 3) states: "'Off' - counterclockwise from other positions."

FMVSS No. 123 was first published in the Federal Register on April 12, 1972 (37 FR 7207), and took effect on September 1, 1974. Table 1 - "Motorcycle Control Location and Operation Requirements" included the requirement that Item 6 "Ignition" have "'Off' - counterclockwise from other positions." In the final rule, NHTSA explained about the ignition:

Because of the adoption of the requirement that motorcycles be equipped with a supplemental engine stop control on the right handlebar, the need to specify a location and method of operation for the ignition has diminished. Accordingly, the sole ignition control requirement is that the "off" position be counterclockwise from all other positions.



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The requirement for "ignition" in Table 1 has remained unchanged since it appeared in the April 12, 1972 edition of the Federal Register.

In interpreting the requirement that "off" be counterclockwise from "other positions," we interpret the phrase "other positions" to refer to positions in which the engine is, or may be, running. This means that when the engine is running and the operator wishes to turn it off, he or she will always be able to turn it off by turning the ignition counterclockwise. Positions counterclockwise to "off" position, such as accessory, lock, and park, are permitted so long as the engine cannot be running in those positions.

I hope this information is helpful. If you have any further questions, please feel free to contact Dorothy Nakama of my staff at this address or by telephone at (202) 366-2992.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Wood", with a stylized flourish at the end.

Stephen P. Wood  
Acting Chief Counsel